

**SOUTH CAROLINA PUBLIC SERVICE COMMISSION
HEARING OFFICER DIRECTIVE**

DOCKET NOS. 2019-184-E, 2019-185-E, and 2019-186-E

Order No. 2019-128-H

OCTOBER 31, 2019

Hearing Officer: Randall Dong

DOCKET DESCRIPTION:

South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Dominion Energy South Carolina, Incorporated's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A)

And

South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Carolinas, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A)

And

South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Progress, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A)

MATTERS UNDER CONSIDERATION:

Proposal for Post-Hearing Filing

HEARING OFFICER'S ACTION:

The South Carolina Solar Business Alliance, Incorporated and Johnson Development Associates, Incorporated proposed, by email dated October 23, 2019, to make a post-hearing submission. Incident to the filing, a proposed schedule was also recommended. The

proposed schedule would have intervenors filing their submission by October 31, 2019, with a provision for the utilities to respond by November 6, 2019.

Hearing Officer Order No. 2019-126-H directed “all parties wishing to comment or respond to the proposal raised by the South Carolina Solar Business Alliance and Johnson Development Associates in the email dated October 23, 2019, must file such comments or responses by Monday, October 28, 2019 – by 12:00 noon.”

Dominion, Duke Energy, and the Office of Regulatory Staff all filed responses. Generally, Dominion and Duke object to the proposed filing by the South Carolina Solar Business Alliance and Johnson Development Associates. The Office of Regulatory Staff has no objection provided that no new evidence or testimony is being filed by any party and that any proposal submitted is based on the evidence currently in the record.

It would be inappropriate to attempt, at this time, to enter additional evidence or testimony into the record of the case in any of Docket Nos. 2019-184-E, 2019-185-E, or 2019-186-E. To the extent such proposals from the Solar Business Alliance and Johnson Development Associates contemplate such additions to the record in these cases, such proposals are impermissible.

However, it is permissible to include proposals that are based on the evidence and testimony in the record of the case in proposed orders. Proposed orders, then, are the appropriate mechanism for presenting proposals on all substantive matters – to include contract terms, conditions, and duration - in each of the above-referenced dockets. To the extent any party wishes to present proposals on any matter incorporated into these dockets, the permissible method to do so is within proposed orders, not in additional filings which are not based on the evidence and testimony in the record.